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4 IN RE TELESCOPES ANTITRUST
5 LITIGATION.
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Case No. [20-cv-03642-EJD](#) (VKD)

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10 **ORDER RE MARCH 21, 2023**
11 **DISCOVERY DISPUTE RE GROVES**
12 **DEPOSITION**
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14 Re: Dkt. No. 364
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18 Defendants and Direct Purchaser Plaintiffs (“DPPs”) ask the Court to resolve their dispute
19 concerning defendants’ request to take the deposition of Christopher Groves, DPPs’ expert
20 declarant. Dkt. No. 364. The Court finds this dispute suitable for resolution without oral
21 argument. Civil. L.R. 7-1(b).

22 Mr. Groves has signed declarations in support of DPPs’ motion for sanctions (Dkt. No.
23 318) and in support of DPPs’ opposition (Dkt. No. 341) to defendants’ motion for terminating
24 sanctions (Dkt. No. 322). Those motions are set for hearing on April 4 and 6, 2023, respectively.
25 Defendants ask that DPPs produce Mr. Groves for a deposition concerning the opinions expressed
in his declarations in advance of the hearings on these motions. Dkt. No. 364 at 2. DPPs object to
producing Mr. Groves at this time, and have declined to provide a date for his deposition until
after Judge Davila issues an order regarding the parties’ overarching disputes regarding
depositions in this case. *Id.* at 5.

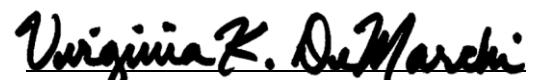
26 Having considered the parties’ submission, the Court orders as follows:

27 DPPs must make Mr. Groves available for deposition by defendants on or before March
28 31, 2023. DPPs shall advise defendants by **no later than noon on March 23, 2023** of three days

1 and times during which Mr. Groves is available for deposition. The deposition must not exceed
2 three hours on the record, and defendants' questioning shall be limited to the opinions and bases
3 therefor that Mr. Groves provides in his supporting declarations (Dkt. Nos. 318-1, 341-1, 345-1).
4 If DPPs elect to withdraw their motion for sanctions (Dkt. No. 318) in view of defendants'
5 administrative motion and status report on the matters addressed in that motion (*see* Dkt. No. 360),
6 then Mr. Groves's deposition shall be limited to the opinions and bases therefor provided in his
7 supporting declaration at Dkt. No. 341-1.

8 **IT IS SO ORDERED.**

9 Dated: March 22, 2023

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12 VIRGINIA K. DEMARCHI
13 United States Magistrate Judge
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